

**REMARKS**

The Applicant respectfully requests reconsideration of the present application in view of the above changes to the claim and the following remarks, which are responsive to the Final Office Action mailed February 18, 2010.

**I. Status of the Claims**

In the Office Action, Claim 69 was listed as pending in the application and was rejected. As a result of this response, Claim 69 remains pending and has been amended in order to further clarify the claimed invention.

**II. Claim Rejections**

**a. 35 U.S.C. § 103(a)**

In the Office Action, Claim 69 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,760,429 to Hung et al. ("*Hung*") in view of U.S. Patent No. 6,134,530 Bunting et al. ("*Bunting*") and U.S. Publication No. 2002/0004735 to Gross ("*Gross*"). (Office Action, page 4). For at least the following reasons, Applicant respectfully requests that the rejection of Claim 69 under 35 U.S.C. § 103(a) be withdrawn.

Applicant respectfully asserts that neither *Hung* nor *Bunting* nor *Gross* teaches, suggests or renders obvious each of the recitations of Claim 69. In particular, Applicant respectfully asserts that neither *Hung* nor *Bunting* nor *Gross* teaches, suggests or renders obvious at least "executing, by the computer within the network of computers, a matching engine to determine one or more desirable sales associates from among a plurality of sales associates for the customer based on weighted parameters comprising the session information and information about the plurality of sales associates, wherein said matching engine: determines a rule set to apply in order to match the customer with at least one of the plurality of sales associates, said rule set comprising two or more rules, respective rules having a relative weight associated therewith;

generates a matching score for each of the plurality of sales associates based at least in part on a relative ranking of the sales associate with respect to each rule of the determined rule set multiplied by the relative weight associated with the corresponding rule; and dynamically changes the determined rule set based at least in part on a combination of sales successes and market conditions;" as recited in Applicant's Claim 69, as amended.

Applicant submits that the above language is supported by the specification of the pending application. Applicant has amended Claim 69 by including limitations from Claim 52 of application 10/945,303 (now U.S. Patent No. 7,657,465), a divisional application of the present application. In fact, the added limitations in Claim 69 of the pending application are recited by the Examiner in the Reasons for Allowance of divisional application 10/945,303. Therefore, as the Examiner found these limitations sufficient to overcome the prior art in the 10/945,303 application, these limitations should likewise place Claim 69 of the current application in a form for allowance. Furthermore, as stated above, neither *Hung* nor *Bunting* nor *Gross* teaches, suggests or renders obvious at least "executing, by the computer within the network of computers, a matching engine to determine one or more desirable sales associates from among a plurality of sales associates for the customer based on weighted parameters comprising the session information and information about the plurality of sales associates, wherein said matching engine: determines a rule set to apply in order to match the customer with at least one of the plurality of sales associates, said rule set comprising two or more rules, respective rules having a relative weight associated therewith; generates a matching score for each of the plurality of sales associates based at least in part on a relative ranking of the sales associate with respect to each rule of the determined rule set multiplied by the relative weight associated with the corresponding rule; and dynamically changes the determined rule set based at least in part on a combination of sales successes and market conditions[.]"

Because none of the references alone teach or suggest "executing, by the computer within the network of computers, a matching engine to determine one or more desirable sales associates from among a plurality of sales associates for the customer based on

weighted parameters comprising the session information and information about the plurality of sales associates, wherein said matching engine: determines a rule set to apply in order to match the customer with at least one of the plurality of sales associates, said rule set comprising two or more rules, respective rules having a relative weight associated therewith; generates a matching score for each of the plurality of sales associates based at least in part on a relative ranking of the sales associate with respect to each rule of the determined rule set multiplied by the relative weight associated with the corresponding rule; and dynamically changes the determined rule set based at least in part on a combination of sales successes and market conditions[.]” as recited in Applicant’s Claim 69, even if combined, the references cannot teach or suggest all of the recitations of Applicant’s Claim 69.

At least for the foregoing reasons, Applicant respectfully asserts that Claim 69 is patentable over *Hung* in view of *Bunting* and further in view of *Gross*, and respectfully requests that the rejection of Claim 69 under § 103(a) be withdrawn.

### **III. Conclusion**

In light of the remarks above, Applicant respectfully submits that the application is in condition for allowance and respectfully requests that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant’s undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

**ATTORNEY DOCKET NO. 16178.0001U1**  
**APPLICATION NO. 09/922,753**

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 14-0629.

Respectfully submitted,

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